

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Index No. CV4718/07

GARDEN CITY BOXING CLUB, INC.

Plaintiff

against

STIPULATION  
DISCONTINUING  
ACTION

ERNESTO'S KITCHEN INC.

ERNESTO'S KITCHEN INC.

Defendant

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: 1/17/08

Paul J. Hooten, Esq.  
Attorney for Plaintiff  
5505 Nesconset Highway  
Mt. Sinai, NY 11766  
(631) 331-0547

Joseph R. LoCascio, Jr., Esq.  
Attorney for Defendant  
560 Warburton Avenue  
Hastings On Hudson, NY 10706

SO ORDERED:

William C. Conner  
United States District Judge